

## ORDINANCE 0-04-49

### AN ORDINANCE ESTABLISHING NEW WRECKER FRANCHISE RELATED RATES AND REQUIREMENTS FOR THE CITY OF CONWAY; DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES

WHEREAS, the City of Conway has not raised various rates or adjusted the requirements associated with its wrecker franchise since 2000, and

WHEREAS, the cost and standards of wrecker service has risen since that time, and

WHEREAS, it is important to set standards and fees in order to maintain an efficient wrecker franchise for the city.

### NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

SECTION 1. That Section 4.56.02 of the Conway Municipal code is hereby amended by the inclusion of new sections (I), (J), & (K,) to read as follows:

- I. The City of Conway, Arkansas must be listed as a Certificate Holder on the Franchisee Insurance Certificate; All franchisee's wrecker service insurance must meet or exceed the limits required by the Arkansas Towing and Recovery Board. If any franchisee's wrecker service insurance is terminated during the franchise period, the franchisee will be terminated immediately, unless a new Insurance Certificate is furnished with the same requirements with no lapses in coverage.
- J. The franchisee shall be in good standing with the Arkansas Towing and Recovery Board.

SECTION 2. That the first paragraph of Section 4.56.02, (H), of the Conway municipal Code is hereby amended to read as follows:

The Franchisee will be required to have or to have available radio dispatched equipment of the following specifications:

- 2 - One (1) ton light duty wreckers
- 1 - Twenty (25) ton rated wrecker with tandem (twin screw) rear axles
- 1 - One and one half (1.5) ton or heavier rollback (flatbed)

SECTION 3. That Section 4.56.02, (H) paragraphs two (2), three (3), and four (4), concerning the required emergency equipment items are hereby struck.

SECTION 4. That Section 4.56.02, (H), (CHARGES), of the Conway Municipal Code is hereby amended to read as follows:

(CHARGES):

- (A) All passenger vehicles and trucks up to one (1) ton shall be charged no more than the total of \$50.00 per tow in town. Additionally, a winch charge of \$40.00 per each ½ hour per wrecker may be incurred.
- (B) All truck having a rating of one (1) ton or more and/or having a dual wheel arrangement on a single rear axle shall be charged no more than a total of \$75.00 per tow in town. Additionally, a winch charge of \$50.00 per each ½ hour per wrecker may be incurred.
- (C) All trucks having a rating of more than one (1) tone and/or having a single dual wheel arrangement shall be charged no more than a total of \$75.00 per tow in town. Additionally, a winch charge of \$50.00 per ½ hour per wrecker may be incurred.
- (D) All trucks with tandem wheels consisting of a tractor and trailer arrangement and dump trucks shall be charged no more than a total of \$250.00 per tow in town. Additionally, a winch charge of \$150.00 per ½ hour per wrecker may be incurred.

In the event the franchisee is required to remain at the site of the tow origination for a period which exceeds thirty (30) minutes from the time of the wrecker truck arrival, an additional maximum charge of \$40.00 per hour may be assessed for class (A) and (B) vehicles as previously described. If the vehicle is class (D) or (E) as previously described, the said additional maximum charge allowed to be assessed may be \$125.00 per hour.

The aforementioned maximum rates will apply to each vehicle towed from one location in the City of Conway to another location in the City of Conway.

SECTION 5. That Section 4.56.02, (H), (STORAGE), of the Conway Municipal Code is hereby amended to read as follows:

(STORAGE):

- (A) A maximum of \$20.00 per 24 hour day on all vehicles, except tractor trailers, or any part thereof for outdoor storage. If the owner or any appropriate law enforcement personnel requests indoor storage of said vehicle a maximum of \$25.00 per 24 hour day on all vehicles, except tractor-trailers, or any part thereof may be assessed. Additionally, a \$10.00 charge will be assessed for vehicles in need of inclement weather covering (tarps).
- (B) Tractor-trailers or heavy dump truck shall be stored for \$50.00 per 24 hour day or any part thereof

After a vehicle has been placed in the storage area, the franchisee may charge a maximum \$30.00 to release said vehicle if said release occurs between the hours of 6:00p.m. and 8:00 a.m. or on holidays.

All wrecker calls for city owned vehicles shall be directed to the franchisee with a maximum allowable charge as previous outlined.

SECTION 6. That all ordinances or parts of ordinances in conflict with this ordinance are repealed to extent of that conflict.

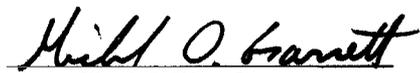
SECTION 7. That ~~an~~ emergency is declared and this ordinance shall be in full force and effect ~~from~~ the date of passage and publication.

PASSED this 25<sup>th</sup> day of May, 2004

APPROVED:

  
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Mayor Tab Townsell

ATTEST:

  
\_\_\_\_\_  
City Clerk Mike Garrett